

**Heber City Corporation  
City Council Meeting**

**May 1, 2014**

**7:00 p.m.**

**REGULAR MEETING**

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on May 1, 2014, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

**Present:**

Mayor	Alan McDonald
Council Members	Robert Patterson
	Jeffery Bradshaw
	Heidi Franco
	Kelleen Potter

**Excused:**

Council Member	Erik Rowland
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**Also Present:**

City Manager	Mark K. Anderson
City Engineer	Bart Mumford
Chief of Police	David Booth
Deputy Recorder	Amanda Anderson

**Others Present:** Dale Stewart, Randy Birch, Paul Boyer, Suzanne Hansen, Ramona Pace, Danny Fugal, Krystal Fugal, Jenny Dorsey, Nann Worel, Nate Cox, Janalee Carter, Caden Cowlen, Sandra Lud, Marielle Pariseau, Zoey Vos, Connor Hines, Whitney Kraatz, Morgan Van Astine, Amber Hutchinson, Kim Griffin, Mel McQuarrie, Francis Harrison, Paul Berg, James Doolin, Tesla Humpherys, Brooke Brown, Alex Luster, and others whose names were illegible.

<b>Pledge of Allegiance:</b>	Council Member Kelleen Potter
<b>Prayer/Thought:</b>	Council Member Jeff Bradshaw

**Minutes for Approval:** None.

## ***APPOINTMENTS***

### **Item 1 – Nathan Cox, People’s Health Clinic, Report on How the City’s 2013 Donation Was**

**Used:** (PowerPoint presentation provided, please see extra materials) Nathan Cox explained the history of the clinic, where their patients came from geographically and so forth. He updated the Council on the costs of the clinic, i.e. patient donations as opposed to the actual cost of care. He stated federal funding was not an option, due to the clinic’s proximity to Salt Lake City. Cox stated Heber City donated \$5,000 the previous year and asked for a larger donation this year. Council Member Potter asked if Wasatch County contributed to the clinic and Cox stated that Wasatch County did not contribute. After discussion with the Council, Mayor McDonald stated there were funds budgeted and they would let them know how much would be donated at a later date.

## ***OPEN PERIOD FOR PUBLIC COMMENT***

Mayor McDonald asked those who wished to address the Council on items not on the agenda to come forward. No comments were given.

## ***ACTION ITEMS***

### **Item 2 – Stacie Ferguson, MCM Engineering, Approval of Subdivision Plat Amendment A of The Cove at Valley Hills, amending Lot 38, 41, and 42, located between 1772 North**

**Valley Hills Boulevard and Callaway Drive:** Ms. Ferguson was not in attendance, so Mayor McDonald asked Mel McQuarrie to explain the plat amendment to the Council, which Mr. McQuarrie did. Council Member Franco voiced the Planning Commission’s concerns with debris on the sidewalk and Mr. McQuarrie explained the sidewalk under discussion was 80% cleared and the rest should be completed soon by another party.

Council Member Potter made a motion to approve Subdivision Plat Amendment A of The Cove at Valley Hills, amending Lot 38, 41, and 42, located between 1772 North Valley Hills Boulevard and Callaway Drive. Council Member Bradshaw made the second.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

### **Item 3 – Adoption of Ordinance 2014-10 – An Ordinance Abandoning the 20 Foot Wide Sewer Line Easement Dedicated to Heber City Upon Lot 15 and 17 of the Valley Station**

**Subdivision:** Mayor McDonald explained the situation with the sewer line to the Council and asked for a motion.

Council Member Bradshaw moved to adopt Ordinance 2014-10 – an Ordinance abandoning the 20 foot wide sewer line easement dedicated to Heber City upon Lot 15 and 17 of the Valley Station subdivision. Council Member Patterson seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

**Item 4 – Mike Stewart, Oakwood Homes of Utah requests Subdivision Final Approval for The Cottages at Valley Station Phases 2 and 3 located between 600 West and 300 West and 1000 South and 1300 South and Associated Subdivision Agreements:** James Doolin, Vice President of Land for Oakwood Homes explained the different phases and design of the subdivision. Council Member Potter asked how much ongoing maintenance for the park would cost the City. Anderson stated he had not put the exact cost together, but explained the aspects involved (fertilization, mowing, etc.) Doolin showed the Council a PowerPoint presentation which included the playground equipment, plans for the subdivision, future plans for the area, etc. Bart Mumford, City Engineer, stated he could see the situation from both sides, (developer vs. City). Anderson stated his primary concern was the park's location at 1300 South and Industrial Parkway and was concerned with unsupervised children crossing the surrounding roads. Council Member Franco stated swapping Parcel A with Parcel B would create a win-win situation. She stated as a mother she would not use this park. Mumford stated the location of the park was driven by staff more than anything, because if the bypass were to go through this subdivision the park left that area open for future use for the bypass. Mayor McDonald asked for a motion to include the park being public or private.

Council Member Franco made a motion to approve the Subdivision Final Approval for The Cottages at Valley Station Phases 2 and 3 located between 600 West and 300 West and 1000 South and 1300 South and the associated Subdivision Agreements to include the park being private and the trail being deeded to City. Council Member Potter seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

**Item 5 – Wasatch School District requests Small Subdivision Approval for Lot 1 of the Old Wasatch High School Redevelopment, located on the southeast corner of Main Street and 600 South and Associated Subdivision Agreement:** Council Member Bradshaw moved to approve the Small Subdivision Approval for Lot 1 of the Old Wasatch High School Redevelopment, located on the southeast corner of Main Street and 600 South and the associated Subdivision Agreement. Council Member Potter made the second.

Voting Aye: Council Members Bradshaw, Franco and Potter. Voting Nay: Council Member Patterson. Council Member Rowland was excused.

**Item 6 – Approve Ordinance 2014-08, an Ordinance Amending Chapter 10.16 of the Heber City Municipal Code, Vehicles and Traffic:** Council Member Franco had various questions and concerns and after discussion felt that leaving the Ordinance as it was would be best and would allow the judge to be the judge.

Anderson suggested options for possible verbiage;

10.16.015 Notice of Parking Violation: ...

B. 1. Any penalty that is paid within fourteen (14) days from the date of issuance of the Notice of Violation, *or hearing date* shall be reduced by one hundred dollars (\$100);

2. Any penalty that is paid between fourteen (14) and thirty (30) days from the date of issuance of the Notice of Violation, *or hearing date* shall be reduced by fifty dollars (\$50).

C. ...Nonappearance of an owner or operator *at their scheduled hearing* will result in a default judgment.

After further discussion with regard to the amendments to the Ordinance, Council Member Franco moved to approve Ordinance 2014-08, an Ordinance amending Chapter 10.16 of the Heber City Municipal Code, Vehicles and Traffic including the changes discussed. Council Member Patterson seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

**Item 7 – Approve Ordinance 2014-09, an Ordinance Adopting Section 5.05.175 of the Heber City Municipal Code, Enforcement and Penalties:** Council Member Bradshaw moved to adopt Ordinance 2014-09, an Ordinance adopting Section 5.05.175 of the Heber City Municipal Code, Enforcement and Penalties. Council Member Franco made the second.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

**Item 8 – Approve Resolution 2014-04, A Resolution Amending The Heber City Personnel Policy: Section 1.3, Personnel Committee; Section 13.13, Vacation; Section 13.14, Sick Leave; Section 13.25, Retirement; Section 13.30, Time Off For Election (Voting):** Council Member Potter made a motion to approve Resolution 2014-04, a Resolution amending the Heber

City Personnel Policy: Section 1.3, Personnel Committee; Section 13.13, Vacation; Section 13.14, Sick Leave; Section 13.25, Retirement; Section 13.30, Time Off For Election (Voting). Council Member Patterson seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

**Item 9 – Approval of the Tentative Operating Budget for Fiscal Year 2014 – 2015 – Scheduling of the Public Hearing to Consider Adoption of the Final Operating Budget for Fiscal Year 2014 – 2015:** Mayor McDonald thanked Mark Anderson, City Manager, for the time spent preparing the budget.

Council Member Patterson moved to approve the tentative operating budget for fiscal year 2014 – 2015. Council Member Bradshaw seconded the motion.

Council Member Franco asked for another budget meeting to be scheduled before June 19, 2014.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

Council Member Bradshaw made a motion to hold a Public Hearing for the final operating budget for fiscal Year 2014 – 2015 budget approval on June 19, 2014. Council Member Patterson seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

**Item 10 – Appointments to the Airport Advisory Board:** Mayor McDonald stated that he would like Council Member Franco to serve on the Airport Advisory Board and would like to retain Council Member Rowland for Airport Advisory Board as well.

Council Member Potter moved to approve the appointments to the Airport Advisory Board. Council Member Franco made the second.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

Mark Anderson informed the Council that Mark Smedley, City Attorney, had provided the proposed Airport Advisory Board terms, requirements, etc. for the Council's review. Mayor McDonald stated that he felt holding off on the Airport Advisory Board meetings until June

would be the best thing to do, until board member requirements were met and the Council was in agreement.

Council Member Bradshaw made a motion at 8:35 p.m. to move in to Closed Session to discuss personnel. Council Member Patterson seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

Council adjourned from Closed Session at 9:05 p.m. and with no further business to discuss, Council Member Patterson made a motion to adjourn the Regular Meeting. Council Member Bradshaw seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Franco and Potter. Voting Nay: None. Council Member Rowland was excused.

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Amanda Anderson  
Deputy Recorder